

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/EP2004/012244	International filing date (day/month/year) 28.10.2004	Priority date (day/month/year) 13.11.2003	
International Patent Classification (IPC) or national classification and IPC INV. A47L25/08			
Applicant UNILEVER PLC			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 30.05.2005		Date of completion of this report 28.03.2006	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized officer Cabral Matos, A Telephone No. +31 70 340-2668 	

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/012244

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-10 as originally filed

Claims, Numbers

2-10 as originally filed

1 received on 13.09.2005 with letter of 13.09.2005

Drawings, Sheets

1/4-4/4 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/012244

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-10
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V.

- 1 The following document is referred to in this communication:

D1: DE1073997B (MATTHESIUS, B.) 28 January 1960 (1960-01-28)

D2: US 2003/008799 A1 (BARNABAS, F. A. ET AL) 9 January 2003 (2003-01-09)

2 INDEPENDENT CLAIM 1

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses with the wording of that claim (the references in parentheses applying to this document; cf. figure 1):

A device for cleaning a substrate such as a fabric comprising:

- (a) A reservoir (1) for storing a fabric cleaning fluid,
- (b) a scrubbing member (8) for scrubbing the fabric, the scrubbing member in fluid communication with the reservoir (1),
- (c) the scrubbing member (8) comprising one or more dispensing orifices (cf. column 3, line 36: "Poren"),
- (d) a movable platform (2) for forcing said cleaning fluid to exit from the reservoir (1) to the scrubbing member (8), where it is exposed on an exterior portion of the scrubbing member (8) via said dispensing orifices, for cleaning purposes.

The subject-matter of claim 1 therefore differs from this known device for cleaning fabrics in that the scrubbing member comprises a coarse mesh structure.

The problem to be solved by the present invention may therefore be regarded as how to modify the device for cleaning fabrics disclosed in D1 so as to simultaneously dispense and abrasively scrub fabrics.

The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

D2 discloses a wash pretreatment device (400) (cf. § 228 - 231; figures 21 -26) comprising a pressure operated dabbing-type applicator. The applicator comprises an applicator pad (404). The applicator pad (404) comprises multiple layers of mesh, net or scrim material (§ 230) so as to effectively provide mechanical action to assist in the stain removal (cf. § 223 last 3 lines).

The feature "coarse mesh structure" is thus described in document D2 as providing the same advantages as in the present application. The skilled person would therefore regard it as a normal design option to include this feature in the fabrics cleaning device described in document D1 in order to solve the problem posed.

2.2 Dependent claims 2-9

Dependent claims 2-9 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step (Article 33(3) PCT).

3 INDEPENDENT CLAIM 10

3.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 10 does not involve an inventive step in the sense of Article 33(3) PCT.

Document D1 discloses with the wording of claim 10 (the references in parentheses applying to this document):

A method of cleaning a fabric, the method comprising the steps of:

- (a) filling the reservoir (1) with a cleaning fluid (cf. column 3, line 53 - column 4, line 8), optionally obtained by mixing a solid cleaning composition e.g.

- powder, granules, and a solvent e.g. water to form a cleaning fluid within the reservoir (1),
- (b) securing a removable portion e.g. end cap (9,7) and scrubbing member (8) on the device to close the reservoir (1) (cf. column 4, line 4 - 8),
 - (c) moving the platform (2) e.g. by turning a screw-feed mechanism (4,3) to force cleaning fluid from the reservoir (1) to be exposed on the exterior of the scrubbing means (8), and
 - (d) cleaning the fabric by scrubbing with said scrubbing means (8) (cf. column 4, line 13 - 16).

The subject-matter of claim 10 therefore differs from this known method for cleaning fabrics in that a device according to any preceding claim is used.

The reasoning to the device (cf. 2.1) applies, *mutatis mutandis*, to the subject-matter of independent claim 10, which therefore is also considered not inventive.